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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,606	08/25/2003	Richard Harvey	063170.6701	4231
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BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			EXAMINER LEWIS, ALICIA M	
			ART UNIT 2164	PAPER NUMBER
			NOTIFICATION DATE 11/19/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/648,606

Applicant(s)

HARVEY ET AL.

Examiner

Alicia M. Lewis

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2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This office action is responsive to the Pre-Appeal Conference Decision mailed September 6, 2007. Claims 1-10 are pending in this application.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims represent an abstract idea, directed solely to non-functional descriptive material. When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement (See MPEP 2106.01).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois').

With respect to claim 1, Gadbois teaches a web services directory encoded on a computer readable media, the web services directory comprising:

at least one business entity object (elements 232, 242, 252 in Figure 2, paragraphs 28-29); and

at least one user object, wherein the at least one business entity object is arranged under the at least one user object (elements 222 and 224 in Figure 2, paragraphs 27 and 28).

With respect to claim 2, Gadbois teaches the web services directory as recited in claim 1, further comprising:

at least one business service object (element 243 in Figure 2, paragraph 28); and
at least one binding template object (element 245 in Figure 2, paragraph 28),
wherein the at least one business service object is arranged under the at least one business entity object, and the at least one binding template object is arranged under the at least one business service object (Figure 2).

With respect to claim 3, Gadbois teaches the web services directory as recited in claim 1, wherein the at least one business entity object is arranged under the at least

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one user object by virtue of at least one corresponding user child object (elements 222, 232, 242 and 252 in Figure 2, paragraphs 26-28).

With respect to claim 4, Gadbois teaches the web services directory as recited in claim 1, further comprising at least one domain object, wherein the at least one user object is arranged under the at least one domain object (elements 170 and 210 in Figure 2, paragraph 24, paragraph 26, paragraph 27 lines 1-4).

With respect to claim 5, Gadbois teaches the web services directory as recited in claim 1, further comprising apparatus adapted to implement the web services directory, and in which directory services are invoked (paragraphs 21-25).

With respect to claim 6, Gadbois teaches the web services directory as recited in claim 5, wherein the directory services are invoked using at least one of X.500 and LDAP protocols (paragraph 24 lines 8-12, paragraph 26 lines 10-11).

With respect to claim 7, Gadbois teaches a web services system comprising:
a registry (paragraph 5 lines 19-25) in which businesses may register, the registry comprising a hierarchical directory including at least one business entity object (element 232 in Figure 2) and at least one user object (element 222 in Figure 2), the at least one business entity object being arranged under the at least one user object (Figure 2, paragraphs 25-28); and

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a storage system for storing business information and accessible via the hierarchical directory (paragraphs 23, 24 and 26).

4. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Elmore et al. (US 2006/0059107 A1) ('Elmore').

With respect to claim 8, Elmore teaches a web services system comprising:

a registry in which businesses may register, the registry comprising a hierarchical directory comprising (paragraphs 57 and 907):

at least one domain object, wherein the at least one domain object comprises a directory prefix name, and the at least one domain object is a root object of the hierarchal directory (element 461 in Figure 19, paragraph 626; and element 491 in Figure 21, paragraphs 971-973);

at least one user object, wherein the at least one user object identifies a user account for managing at least one business entity object arranged under the at least one user object (elements 467 and 468 in Figure 19, paragraph 626; and element 493 in Figure 21, paragraph 976), and the at least one user object is arranged under the at least one domain object (elements 462 and 463 in Figure 19, paragraph 626; and element 492 in Figure 21, paragraph 976-978); and

a storage system for storing business information and accessible via the hierarchical directory (paragraphs 907, 948 and 1010).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elmore et al. (US 2006/0059107 A1) ('Elmore') in view of Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois').

With respect to claim 9, Elmore teaches the web services directory as recited in claim 8.

Elmore does not teach further comprising:

at least one business service object, wherein the at least one business service object comprises data identifying a technical service, and the at least one business service object is arranged under the at least one business entity object; and

at least one binding template object, wherein the at least one binding template object comprises data identifying a plurality of service specifications, and the at least one binding template object is arranged under the at least one business service object.

Gadbois teaches a registry service (see abstract) in which he teaches:

at least one business service object, wherein the at least one business service object comprises data identifying a technical service, and the at least one business

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service object is arranged under the at least one business entity object (element 243 in Figure 2, paragraph 28); and

at least one binding template object, wherein the at least one binding template object comprises data identifying a plurality of service specifications, and the at least one binding template object is arranged under the at least one business service object (element 245 in Figure 2, paragraph 28).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Elmore by the teaching of Gadbois because at least one business service object and at least one binding template object would enable an efficient means of organizing business information, including relationships with other businesses and publishing entities (Gadbois, paragraph 4).

With respect to claim 10, Elmore as modified teaches the web services directory as recited in claim 9, the hierarchical directory further comprising at least one tmodel object, wherein the at least one tmodel object comprises a keyed reference to the at least one binding template object, and the at least one tmodel object is arranged under the at least one user object (Gadbois, paragraphs 38-39 and 47).

Response to Arguments

7. Applicant's arguments with respect to claim 8 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis
November 6, 2007


SAM RIMELL
PRIMARY EXAMINER